

REMARKS

Claims 6-8 remain in the application and claims 6 and 8 have been amended hereby.

Withdrawal of the objection to the disclosure is respectfully requested because there is no Fig. 12 in the drawings.

Reconsideration is respectfully requested of the rejection of claims 6-8 under 35 USC 112, second paragraph, as being indefinite.

Claim 6 has been amended to clarify that the information processing apparatus transmits the encrypted monetary amount to the user device, and to give proper antecedent basis to the signature, to the monetary amount, and to the encrypted monetary amount.

Claim 3 has been amended to change the recitation "a number unique to said information processing" to -- a number unique to said user device--.

Accordingly, it is respectfully submitted that amended independent claims 6 and 8, and the claims depending therefrom, are clear and definite in their recitation of the present invention and meet all requirements of 35 USC 112.

Reconsideration is respectfully requested of the rejection of claims 6 and 7 under 35 USC 101, as being directed to non-statutory subject matter.

It is respectfully submitted that claims 6 and 7 are clearly directed to statutory subject matter because they recite a plurality of interrelated elements of a method of transferring

cash from an information processing apparatus to a user device.

It is well settled that, if a claim defines a useful machine by identifying the physical structure of the machine in terms of its hardware or hardware and software combination it defines a statutory product. See, e.g., Lowry, 32 USPQ2d at 1034-1035; Warmerdam, 31 USPQ2d at 1760.

Further, in most cases, a claim to a method for use in a specific machine will have a practical application in the technological arts. See, In re Alappat, 31 USPQ2d 1545, 1557 (Fed. Cir. 1994); State Street, 47 USPQ2d 1596, 1601 (Fed. Cir. 1998).

Furthermore, the guidelines set forth in MPEP Sec. 2106 state that only when the claim is devoid of any limitation to a practical application in the technological arts should it be rejected under 35 USC 101. Clearly claims 6 and 7 recite several limitations having practical applications in the technological arts.

Accordingly, it is respectfully submitted that claims 6 and 7 recite statutory subject matter.

The prior art made of record and not relied upon has been reviewed and is not seen to show or suggest the present invention as recited in the amended claims.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,
COOPER & DUNHAM LLP


Jay H. Maioli
Reg. No. 27,213

JHM/PCF:pmc